

SENATE—Tuesday, September 5, 2000

The Senate met at 12:02 p.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Lord of all life, we praise You that there is no division between the sacred and the secular. You have created all things to praise You and our work to glorify You. Forgive us when we forget that what is said and done here in this Chamber is as sacred as what is done in a sanctuary of a synagogue or in a church. Whatever belongs to You is sacred. This Nation, this Senate, the women and men who serve as Senators, and all of us who work with them and for them belong first and foremost to You. You are our Judge. We are accountable to You. Forgive us when we trade political greatness for petulant gamesmanship, when words are used to criticize others rather than communicate truth about issues, when party spirit is more important than being party to Your Spirit, when winning the election in November becomes more crucial than nonpartisan winning of what's best for our Nation in the votes to be cast in the Senate. Bless the Senators in this busy season. Fill this Chamber with Your sovereign presence, the Senators' minds with Your wisdom, and their hearts with concern for each other. May debate greater expose truth and votes coincide with both conscience and conviction. This is the day You have made; we will rejoice and glorify You in it. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE ENZI, a Senator from the State of Wyoming, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the majority leader.

Mr. LOTT. I thank the Chair.

SCHEDULE

Mr. LOTT. Mr. President, first, I would like to welcome all of my colleagues and our staff back from the August period when we had time to be with our families and our friends and our constituents. We are inspired by

the Chaplain's prayer and ready, I am sure, for a lot of good work. As I have visited with some of my colleagues already, I see that they look mighty rested and ready for a busy legislative period, and I think they are probably going to need to be. We still have to complete action on five appropriations measures, as well as conference reports as they become available.

In addition, there are a number of other legislative matters we hope to finish as we move toward the adjournment period of the Congress. We have some bills we hope to take up free-standing in the Senate, and, of course, we have some conference reports other than appropriations bills on which we will be working. So we have a lot of work we are going to need to consider.

Today, the Senate will have a period of morning business prior to the 12:30 p.m. recess for weekly party conferences and meetings. When the Senate reconvenes at 2:15 p.m., it will begin postcloture debate on the motion to proceed to the China PNTR legislation. Those Senators who wish to make statements are encouraged to notify the bill managers. Hopefully, a lot of Senators who wish to speak on the China trade issue will take advantage of the time today, and we will go to as late as possibly 6 p.m., although we may be prepared to go a little bit earlier than that if our colleagues have made their statements and we can get agreement to do that. But at least at 6 p.m. the Senate will begin consideration of the energy and water appropriations bill with amendments in order.

As a reminder, we will be considering these two bills on a dual track throughout the week with the motion to proceed to the China trade bill being considered during the day and the appropriations bill or bills being considered at night. So votes could still occur if we move toward the time when we could need to have a vote today, but certainly during the day on Tuesday, Wednesday, Thursday, and possibly Friday morning we will be having votes on the appropriations amendments that are offered at night or on China PNTR when amendments become available.

So there will be long days, but we will do our best to keep Senators advised after communicating with the leadership on both sides of the aisle what the schedule will be. I hope we can make good progress and complete this appropriations bill and move to another one later on this week or early next week.

MEASURES PLACED ON CALENDAR—H.R. 728, H.R. 1102, H.R. 1264, H.R. 2348, H.R. 3048, H.R. 3468, H.R. 4033, H.R. 4079, H.R. 4201, H.R. 4923, H.R. 4846, H.R. 4888, H.R. 4700, H.R. 4681, H.J. RES. 72

Mr. LOTT. Mr. President, I understand there are a number of bills at the desk due for their second reading. I ask unanimous consent that the bills be considered read a second time and placed on the calendar en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak therein for up to 5 minutes each.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Wyoming.

Mr. THOMAS. I thank the Chair.

LEGISLATIVE DIRECTION

Mr. THOMAS. Mr. President, I appreciate the opportunity to have a discussion as to where we are going in these remaining, I guess, less than 20 days we have before us. Certainly, we have a great deal to do, as the leader has pointed out. We have 13 appropriations bills and just 2 that have been passed. So we have the responsibility, probably first of all, to deal with that to keep the Government moving forward in doing the kinds of things we must do to ensure that programs in place now are funded.

There are a number of other things, of course, that will be talked about, a number of issues each of us, I suppose, have heard a great deal about when we were in our States. I come from a State in which nearly half the land belongs to the Federal Government. So you can imagine a good many of the things I heard about, and I am sure my partner in the Chair heard about, have to do with the public lands issue, the idea of access, multiple use.

We, of course, have had the great unfortunate experience during this time

of lots of forest fires, which, of course, have been very destructive. We need to take a long look at that, starting, of course, in commending the people who have worked so hard and risked so much to be able to control those fires and have done the very best job that could be done.

On the other hand, we have to take a look at the policy that has to do with the control and the management of resources, in this case particularly the management of forests. I submit to you there does need to be management; unless we want nature's way of reducing forests by fire, then we have to do it in some other ways that can be used. So I do hope we will have an opportunity there, of course, to not only take a look at the necessary funding that will be required in order to give the utmost protection to those activities, but also to seek to avoid this kind of repetition in the future.

We will be talking, of course, about normal trade relations with the People's Republic of China and additionally, shortly thereafter, WTO entry for Taiwan. I hope both of those things can happen, and happen shortly. We have postponed this activity for a very long time.

I think most people understand that if we are going to move forward in today's world, we are going to have to move forward to seek to make some changes in mainland China. The best way to do that is to have some rules laid out for them to be part of a world organization, such as the WTO, and begin to move forward to increase the number of changes that have, indeed, been made there.

I think that is very important. It is very important for our economy, but probably more so, it is important for the kinds of things we would like to have take place in China with regard to human rights, with regard to economic freedom, which are things we want to have happen today. So we will be moving forward certainly on that.

We will have an opportunity to take another look at tax reductions for the taxpayers of this country in a couple of areas that seem to me to be largely based on fairness. For example, the marriage penalty, it is really very difficult to understand how we can be opposed to making that fair. Two people who are single, if you combine their incomes, are at a certain level, but if they were married, with the same level of income, they would pay more income taxes. That does not seem to be right. Fairness ought to be one of the areas vital to taxation.

The same could be applied to the estate tax. As I suggested, our State of Wyoming has lots of small businesses, lots of farm and ranch families who have spent their lives—as did their predecessors—developing these kinds of assets. Under present law, when those assets are subject to the death tax, we

find they have to sell those lands in order to make it work out.

Mr. President, I sense that you are about ready to rap the gavel, as you should. I just end by saying I hope we can address ourselves to the issues that are out there and not put ourselves off creating issues rather than resolving them. It seems to me that is our challenge. We have the opportunity to do that in the next several weeks.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

ISSUES BEFORE THE 106TH CONGRESS

Mr. DORGAN. Mr. President, my colleague, the Senator from Wyoming, said we have a lot to do. He is certainly correct, we have a lot to do in about a 5-week sprint to the end of this 106th Congress.

I think all of us aspired to come to this Chamber because we want to get things done for the American people. We want this country to be successful and to grow and prosper. We want to address real problems.

My hope is that we can find ways, between the political aisles, where Republicans and Democrats can agree that there are things that need to be done in this country and that we can do them together. I think that would be a refreshing thing for the American people to see.

In the final 5 or 6 weeks of this Congress, we could probably take some advice from the Robert Frost poem, "Stopping By Woods On A Snowy Evening," where Robert Frost says:

The woods are lovely, dark, and deep,
But I have promises to keep,
And miles to go before I sleep,
And miles to go before I sleep.

We have miles to go before we put this 106th Congress to bed.

What are these issues that we must deal with before we finally adjourn this Congress?

A Patients' Bill of Rights. We have had so much discussion about the Patients' Bill of Rights in this Congress, and yet the Patients' Bill of Rights languishes in a conference. Month after month after month, nothing gets done. I know people have come to the floor of the Senate and have said: Gee, we are making progress. But I say the difference between this conference committee and a glacier is at least a glacier moves an inch or so every decade. This conference committee is not able to make progress on a Patients' Bill of Rights.

It seems to me, in the Senate and the House we must say to this conference: We want to have a real Patients' Bill of Rights brought to the floor of the Senate and the House and passed.

I have told stories in relation to this on the floor of the Senate. It is prob-

ably useful to recount at least one story again as an example of why we need a Patients' Bill of Rights.

A woman fell off a cliff in the Shendoah mountains. After having fallen off the cliff, she was rendered unconscious, with broken bones, with a concussion. Being unconscious, she was taken by ambulance to an emergency room in a hospital. She was rolled in on a gurney, unconscious. She survived. She had very significant injuries, but she survived.

Following that ordeal, she was released from the hospital to be told that her emergency room expenses would not be covered by the managed care organization because she did not have prior approval for emergency room treatment.

This is someone who was hauled into the emergency room on a gurney, unconscious. She was in a coma. She was told by the insurance company: You did not have prior approval for emergency room treatment.

The Patients' Bill of Rights is very simple. It says: A patient ought to have the right to know all of their medical options for treatment, not just the cheapest. A patient ought to have the right to emergency room treatment when they have an emergency. There are a whole series of rights that patients ought to have when dealing with their managed care organization.

There was the woman who cried one day at a hearing that I held with my colleague from Nevada as she held up a picture of her 16-year-old son who had died. She told us that on her son's deathbed he said to her: Mom, how can they do this to a kid like me? Through tears, she held up the picture of her young son who had died who had said: Mom, how can they do this to a kid like me?

That situation had forced this kid and his family to fight the insurance company to get the treatment he needed. They failed. He died. This was a kid who was told to fight cancer and fight the insurance company at the same time. That is unfair. That is not a fair fight.

You ought not have to fight cancer and your managed care organization to get the treatment you need. That is the point. We need to pass a real Patients' Bill of Rights. We have not done that. There are lots of excuses for it, but we need to get it done. We need to get it done now.

We need to add a prescription drug benefit for senior citizens on the Medicare program. We all know that. If we were to write the Medicare program today, there is no question we would have a prescription drug benefit in the program. But 30 years ago, 40 years ago when the Medicare program was created, most of the lifesaving drugs we have today did not exist. They do now. Each senior citizen needs access to those drugs.